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8 Attorneys for Defendants
9 SAC ATTORNEYS, LLP, JAMES CAI,
10 BRIAN BARNHORST and PATRICK
11 O'SHAUGHNESSY
12

13 UNITED STATES DISTRICT COURT
14
15 NORTHERN DISTRICT OF CALIFORNIA
16

17 ABRAHAM ABITTAN, RACHEL
18 ABITTAN, BRIAN ABITTAN, JACOB
19 ABITTAN, ELENA ABITTAN, ROY
20 GRABER and TOVA GRABER
21

22 Plaintiffs,
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24 vs.
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26 HANSEN LAW FIRM, P.C., CRAIG
27 HANSEN, STEPHEN HOLMES, SACT
28 ATTORNEYS, LLP, JAMES CAI, BRIAN
BARNHORST, PATRICK
O'SHAUGHNESSY, YE & ASSOCIATES,
PLLC, JINGJING YE and DOES 1-20,
inclusive

Defendants.

Case No. 5:25-CV-5427

**DECLARATION OF BRUCE D. MacLEOD IN
SUPPORT OF DEFENDANTS' MOTION TO
STRIKE OR DISMISS COMPLAINT
PURSUANT TO FEDERAL RULE OF CIVIL
PROCEDURE 12(b)(6) AND CALIFORNIA
CODE OF CIVIL PROCEDURE §425.16
[ANTI-SLAPP]**

1 I, Bruce D. MacLeod declare:

2 1. I am Senior Counsel with the firm of Davis, Bengtson & Young, APLC, counsel of
3 record for Defendants SAC ATTORNEYS, LLP, JAMES CAI, BRIAN BARNHORST and
4 PATRICK O'SHAUGHNESSY (hereinafter collectively "SAC Defendants") and am licensed to
5 practice before all of the courts of the State of California. I have personal knowledge of the matters
6 set forth herein except as to those matters set forth on information and belief, and as to those, I am
7 informed and believe them to be true and could and would competently testify thereto. In making
8 this declaration it is not my intention to waive the attorney-client privilege as to either myself and
9 my clients, or between the SAC Defendants and their clients in the action titled Yuting Chen v.
10 Ariel Abittan, et al., United States District Court for the Northern District of California, Case No.
11 21-CV-0939 NC (hereinafter the "Underlying Action").

12 2. Attached hereto as Exhibit A is a true and correct copy of the *Notice of Appearance*
13 *of SAC Attorneys LLP on Behalf of Plaintiff Yuting Chen* filed in the Underlying Action as
14 Document 62 on December 16, 2022.

15 3. Attached hereto as Exhibit B is a true and correct copy of the *Order Dismissing Case*
16 *with Conditions* filed in the Underlying Action as Document 92 on April 26, 2023.

17 4. Attached hereto as Exhibit C is a true and correct document of the *Chen Declaration*
18 *in Support of Opposition to Defendant's Motion for Fees and Costs, and Cross-Motions for*
19 *Associated Fees and Costs* filed in the Underlying Action as part of Document 107-1 on May 26,
20 2023.

21 5. Attached hereto as Exhibit D is a true and correct copy of the *Judgment* filed in the
22 Underlying Action as Document 114 on June 30, 2023.

23 I declare under penalty of perjury under the laws of the State of California that the foregoing
24 is true and correct.

25 Executed on October 1, 2025 at San Jose, California.

26 

27 _____
28 Bruce D. MacLeod

EXHIBIT A

1 James Cai (SBN: 200189)
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2 Brian A. Barnhorst (SBN: 130292)
bbarnhorst@sacattorneys.com
3 Jackson D. Morgus (SBN: 318453)
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7
8 Attorneys for Plaintiff
Yuting Chen

9
10 **UNITED STATES DISTRICT COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA**

12 Yuting Chen,

13 Plaintiff,

14 v.

15 Abittan et al,

16 Defendants.
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Case No. 5:21-cv-09393-NC

Judge: Hon. Nathanael M. Cousins

**NOTICE OF APPEARANCE OF
SAC ATTORNEYS LLP ON
BEHALF OF PLAINTIFF YUTING
CHEN**

Case Filed: December 3, 2021

TO THE CLERK OF THIS COURT AND ALL PARTIES OF RECORD:

PLEASE TAKE NOTICE that James Cai, Brian A. Barnhorst, Jackson D. Morgus and Woody Wu of SAC ATTORNEYS, LLP, hereby enter an appearance as counsels for Yuting Chen, in the above-referenced actions. Please serve said counsels with all pleadings and notices in this action.

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Telephone: (408) 436-0789

Date: December 16, 2022

SAC ATTORNEYS LLP
JAMES CAI
BRIAN A. BARNHORST
JACKSON D. MORGUS
WOODY WU

By: /s/ James Cai
JAMES CAI

ATTORNEYS FOR PLAINTIFF

PROOF OF SERVICE Electronic Filing

I HEREBY CERTIFY that on December 16, 2022, I served the document described as: **NOTICE OF APPEARANCE OF SAC ATTORNEYS LLP ON BEHALF OF PLAINTIFF YUTING CHEN** by electronic mail on the following parties:

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/s/ Maria Butler
Maria Butler

EXHIBIT B

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

YUTING CHEN,

Plaintiff,

v.

ARIEL ABITTAN, and others,

Defendants.

Case No. 21-cv-09393 NC

**ORDER DISMISSING CASE WITH
CONDITIONS**

At a hearing today in open court, counsel for Plaintiff Yuting Chen moved to voluntarily dismiss this case with prejudice under Fed. R. Civ. P. 41(a)(2). Under that provision, an action may be dismissed only by court order, on terms that the court considers proper. The Court GRANTS dismissal with prejudice, with conditions set forth in this order. The Court retains jurisdiction to address the following issues. Defendants may file a motion for award of fees, costs, and sanctions by May 11, 2023; opposition due May 24, 2023; hearing May 31, 2023, at 11:00 a.m. in courtroom 5.

The parties also have until May 3, 2023, to jointly or separately propose a protective order to regulate certain documents that were produced in the case.

Counsel for Chen additionally stated a request to withdraw from the case. Supporting information must be filed by May 11, 2023 (including whether client agrees or objects; new counsel; or if Chen will be self-represented), and notice provided to Chen; response by May 24, 2023; hearing May 31, 2023, at 11:00 a.m. in courtroom 5.

1 The Court denied the other discovery issues in ECF 90 as moot in light of the
2 dismissal. The Court vacated the April 27 deposition of Chen. The Clerk must terminate
3 ECF 75, 83 and 90 without prejudice and administratively close this case.

4 IT IS SO ORDERED.

5 Date: April 26, 2023


Nathanael M. Cousins
United States Magistrate Judge

EXHIBIT C

1 James Cai (SBN: 200189)
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2 Brian A. Barnhorst (SBN: 130292)
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8 Jingjing Ye (Admitted *Pro Hac Vice*)
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10 Telephone: (469) 410-5232

11 *Attorneys for Temujin Labs Inc. (Delaware)*
Temujin Labs Inc. (Cayman Islands), Lily Chao,
12 *and Damien Ding, and (motion for withdrawal*
pending) Plaintiff Yuting Chen

13
14 **UNITED STATES DISTRICT COURT**

15 **NORTHERN DISTRICT OF CALIFORNIA**

16 **SAN JOSE DIVISION**

17
18 YUTING CHEN,

19
20 Plaintiff,

21 v.

22 ARIEL ABITTAN et al.,

23 Defendants.

Case No. 21-CV-09393-NC

**CHEN DECLARATION IN SUPPORT
OF OPPOSITION TO DEFENDANT'S
MOTION FOR FEES AND COSTS, AND
CROSS-MOTIONS FOR ASSOCIATED
FEES AND COSTS**

Judge: Hon. Nathanael Cousins

Date: May 31, 2023

Time: 11:00 a.m.

Place: Courtroom 5

1 I, Yuting Chen, declare,

2 1. I, Yuting Chen, am the plaintiff in the above-captioned case. I have used the
3 nickname Selena at times in the past. I submit this declaration in support of all opposition to
4 Defendant's motion for fees and costs (the "Motion"), and in support of any opposing motions
5 for fees and costs against Defendant associated with responding to the Motion. I possess personal
6 knowledge of the facts set forth herein. If called as a witness, I could and would competently
7 testify thereto.

8 2. I can no longer maintain this lawsuit from the perspective of personal property
9 and the current economic situation. Defendant Ariel Abittan cheated me a lot in the watch
10 business, and I did not make money in my Temujin's investment because of his sabotage. Under
11 this double blow, I can no longer afford the high legal fees associated with this litigation. This is
12 the main reason for my dismissing the case.

13 3. In the past two years of the lawsuit, Defendant published the name and photo of
14 my child and the school where the child goes to school without my permission.

15 4. This has had a major impact on my child's life and study. After my parents
16 learned about it, they have been asking me to take the child back to China, and they do not want
17 to continue to expose more information about the child in lawsuits and courts.

18 5. In the past two months, my mother's health has become unwell due to long-term
19 worries about me and the children. I finally decided to take the child back to China. But if the
20 lawsuit continues, I will not be able to take my child back to China to live a normal life.

21 6. I cannot let my parents continue to worry about me like this. This is the second
22 reason for my dismissing the case.

23 7. This lawsuit has been seen by many watch dealers. They have blacklisted me.

24 8. If this matter continues, I may not be able to buy watches in the future because the
25 brands of these watches do not allow buyers to buy them just to increase the price and sell them
26 to others.

27 9. In this way, my business will not be able to continue at all. This is the third reason
28 for my dismissing the case.

1 10. So far, all the factual information in filings in this lawsuit have been provided by
2 me based on the real situation, and there is no fault of the lawyers.

3 11. It is common in my experience for individuals whose names do not translate well
4 into Romanized characters to use an American nickname or nicknames.

5
6 I declare under penalty of perjury under the laws of the State of California that the
7 foregoing is true and correct.

8
9 Dated: May 26, 2023

Ms. Yuting Chen

10
11 Yuting Chen
12 Plaintiff

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Orange

On May 26, 2023 before me, Stephanie E. Garcia, Notary Public,
(insert name and title of the officer)

personally appeared Yuting Chen
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Signature] (Seal)



EXHIBIT D

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6 **UNITED STATES DISTRICT COURT**
7 **NORTHERN DISTRICT OF CALIFORNIA**
8

9 YUTING CHEN,

10 Plaintiff,

11 v.

12 ARIEL ABITTAN, and others,

13 Defendants.
14

Case No. 21-cv-09393 NC

JUDGMENT

15
16 In accordance with the April 26, 2023, order conditionally dismissing this case with
17 prejudice under Fed. R. Civ. P. 41(a)(2), ECF 92, Judgment is entered against Plaintiff
18 Yuting Chen. This matter is now closed, but for the bill of costs permitted in ECF 113.

19 IT IS SO ORDERED.

20 Date: June 30, 2023

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Nathanael M. Cousins
United States Magistrate Judge
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